

Regular Session, 2009

HOUSE BILL NO. 512

BY REPRESENTATIVE GUINN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

FUELS/BUTANE-PROPANE-LPG: Allows the Liquefied Petroleum Gas Commission to suspend certain laws and rules in times of a declared emergency or disaster and make certain exceptions

1 AN ACT

2 To enact R.S. 40:1846(I) and (J), relative to the authority of the Liquefied Petroleum Gas  
3 Commission; to provide for suspension of certain laws and rules and regulations  
4 during a governor's declared emergency or disaster; to provide for exceptions to  
5 certain rules and regulations and standards; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:1846(I) and (J) are hereby enacted to read as follows:

8 §1846. Rules and regulations of commission; exceptions; reporting; data sharing;  
9 permit requirements; penalties; liability; state of emergency or disaster;  
10 exceptions

11 \* \* \*

12 (I) The commission or through its appointed designee, may suspend any law  
13 contained in this Part or in Part II of Chapter 10 of Title 3 or any of the commission's  
14 rules and regulations in Chapters 1, 2, or 15 of Part IX of Title 55 of the Louisiana  
15 Administrative Code that do not materially affect safety during the time period of  
16 declaration of an emergency or disaster by the governor.

17 (J) The commission or through its appointed designee may make exceptions  
18 to any of its published rules and regulations or adopted standards if the exception  
19 would not materially affect safety and is in the best interest of the public. Exceptions

1        can be granted only on a case-by-case basis and shall not constitute a change in a  
2        specific rule, regulation, or adopted standard. The exception shall apply only to the  
3        specific case to which it was granted. Any exception granted must be made in  
4        written form.

5        Section 2. This Act shall become effective upon signature by the governor or, if not  
6        signed by the governor, upon expiration of the time for bills to become law without signature  
7        by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
8        vetoed by the governor and subsequently approved by the legislature, this Act shall become  
9        effective on the day following such approval.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Guinn

HB No. 512

**Abstract:** Authorizes the Liquefied Petroleum Gas Commission to suspend certain laws and rules during a governor's declared emergency or disaster and to make certain exceptions.

Proposed law authorizes the Liquefied Petroleum Gas Commission or its appointed designee to suspense present law and rules and regulations regarding liquefied petroleum gas and anhydrous ammonia that would not materially affect safety during a governor's declared emergency or disaster.

Proposed law authorizes the commission or its appointed designee to make exceptions to the commission's rules and regulations and adopted standards, if the exception would not materially affect safety and is in the best interest of the public. Exceptions are granted only on a case-by-case basis and would not constitute a change in any specific rule, regulation, or adopted standard except in the specific case in which the exception was granted. All exceptions must be made in written form.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 40:1846(I) and (J))